

**Amended Regular Meeting
Oneida County Board of Supervisors
Tuesday, September 15, 2015 – 9:30 a.m.
Oneida County Courthouse
County Board Meeting Room 2nd Floor**

Chairman Hintz called the meeting to order at 9:30 a.m. in the County Board Meeting Room of the Oneida County Courthouse. There was a brief moment of silence for our troops here and overseas, followed by the Pledge of Allegiance.

MEMBERS PRESENT: Supervisors: Ted Cushing, Bill Freudenberg, Billy Fried, Scott Holewinski, Jim Intrepidi, David Hintz, Mitchell Ives, Robb Jensen, Tom Kelly, Lance Krolczyk, Bob Metropulos, Bob Mott, Greg Oettinger, Carol Pederson, Sonny Paszak, Tom Rudolph, Jack Sorensen, Michael Timmons, Alan VanRaalte, Alex Young and Lisa Zunker.

OF MEMBERS PRESENT: 21

SUPERVISORS EXCUSED: 0

STUDENT REPRESENTATIVES PRESENT: 0

OTHERS PRESENT: Mary Bartelt, County Clerk; Melodie Gauthier, Chief Deputy Clerk; Brian Desmond, Corporation Counsel; Mike Romportl, Land Information; Karl Jennrich, Planning and Zoning, Margie Sorensen, Finance; Roger Luce, OCEDC; Lisa Charbarneau, LRES; Linda Conlon, Public Health Director; Steve Pawelko and Kevin Kopplin – ABX, Scott Sternhagen- Schenck and Associates and Sue Otis, Oneida County Humane Society.

ANNOUNCEMENTS BY CHAIR, CORRESPONDENCE AND COMMUNICATIONS

- Sign Attendance Form at the Podium
- Please Use Microphones When Speaking

ACCEPT THE MINUTES OF THE AUGUST 18, 2015 REGULAR MEETING

MOTION/SECOND: Sorensen / Cushing to approve the August 18, 2015 regular minutes as presented.

Additions, deletions, corrections: Supervisor Rudolph, Page 1, under reports and presentations, third paragraph from the bottom, line 5, strike provisions and insert revisions. Page 1 last paragraph first line the strike 59.962 and replace it with 59.692. Page 2, second sentence, strike the word “it” and replace it with “they”. Pages 2, under Senator Tiffany’s presentation, the 12th bullet, after the word fraud, insert the word “investigation”. Supervisor Rudolph questioned the discussion with Senator Tiffany and the County Board. He would like more detail on Senator Tiffany’s response to the questions from the County Board Supervisors. Supervisor Sorensen stated he would like to second what Supervisor Rudolph said about the questions. Sorensen went on to say there was extreme criticism to Senator Tiffany with regards to shoreline zoning.

MOTION/SECOND: Jensen/Mott to table the August 18, 2015 regular minutes until the October 20, 2015 meeting.

All “aye” on voice vote, motion carries. Brian Desmond, Corporation Counsel, states motion to table, supersedes the pending motion. Supervisor Hintz, stated if there are any more changes to the August 18, 2015 minutes to e-mail them the County Clerk, Mary Bartelt. The minutes will be changed and brought back to the October 20, 2015 County Board meeting.

REPORTS / PRESENTATIONS

- Oneida County Economic Development Corporation / ABX Presentation.
Roger Luce, Oneida County Economic Develop Corporation Executive Director, stated this is a reason to celebrate, a success of a new local business in the Northwoods. The process that began ten years ago will end with the presentation of a check for the balance of the loan.

Roger Luce gave tribute to Jim Kumbera who worked for Oneida County Economic Development Corporation as Director for approximately 13 years and recently passed away this September 6, 2015. Luce stated it was because of Jim Kumbera in 2006 who came before the County Board and asked for support in borrowing \$1.5 million for the startup of ABX (Advanced Barrier Extrusions LLC). Throughout 10 years, there were three separate investments for a total of approximately \$3.4 million borrowed from the Board of Commissioners of Public Land for startup and expansion.

Luce introduced Steve Pawelko and Kevin Kopplin, two of the three owners of ABX, Tony Haug who is the company’s President was away on business. Steve Pawelko and Kevin Kopplin, presented a check for the loan balance of \$2,741,891.78 to the Oneida County Board Chairman, Dave Hintz; City Administrator, Kristina

Aschenbrenner; Marge Sorenson, Finance Director along with Philip Albert, OCEDC and Alfred Nakhla, Associated Bank.

A presentation on the 75,000 sq. foot ABX facility was presented by Kevin Kopplin stating the facility is state of the art, high tech. The company produces multi-layer cores film. They have two lines of 9 & 11 layer cast extrusion and have high speed capabilities. The company is a plastics manufacturing operation that supports the food processing industry by producing plastic film barriers for foods products. Kopplin stated in 2005 the three partners met with Jim Kumbera who was instrumental in initial process of developing the company. Kumbera worked with all the public agencies and we appreciate all of Kumbera's help. In 2010 ABX added another 30,000 square feet of warehouse space and in 2013 another 15,000 square feet. Altogether an initial investment of \$3.5 million in the land and building. Kopplin stated "we are very proud of what we have accomplished and very pleased to present the check for the balance of the loan".

- Oneida County Humane Society-Sue Otis addressed the County Board on the funding concerns for the Humane Society. Oneida County last year funded approximately \$40,000 to the Oneida County Humane Society in return OCHS would handle all strays for Oneida County at no charge. OCHS also cares for animals involved in car accidents, rabies, surrendered animals, animal abuse and neglect cases and animal hoarding. The staff is available 24 hours. Future plans for OCHS include more community outreach, education animal outreach programs and facility improvements. Otis states humane societies statewide vary in funding. The national trend in funding is \$3.00 at the low end and \$5.00 per capita at the high end. Otis stated the County's funding of \$40,000 comes to approximately \$2.57 per capita. Oneida County currently charges \$3.00 for a licensed dog, this is a minimum fee. Some surrounding counties charge up to \$10.00. Oneida County is receiving less than one-third of required pet licenses for dogs at the \$3.00 rate. Otis would like to see the rates higher. The Administration Committee may explore the possibility of raising the dog license fee which will bring in more funding to the shelter. It is OCHS goal to raise the fee to \$10.00 across the board for Oneida County but for now, there are some details to work on such as potential incremental increases, discounts for multiple dogs or different rates for non-spayed versus neutered dogs. Enforcement of the dog license fee is problem. OCHS will check with other counties on tips for enforcing the fees. The percentage of dogs not licensed in Oneida County is approximately less than a third of what it should be.
- Presentation of 2014 Oneida County audit report-Schenck and Associates. Scott Sternhagen gave a brief summary of the County's Audit Report for 2014. Sternhagen highlighted some areas of the audit report by stating the summary financial information at the end of the year, a comparison to the prior year, the General Fund for 2014 ended the year with a fund balance of \$17,153,945 which is a decrease from the prior year by \$647,574. The subsequent year's expenditures was \$3,554,468 which was used to balance the budget for 2015. The unassigned \$11,288,151 which is money that is out there that is truly unassigned. From a fund balance perspective the County is in good financial shape. A question was asked of what is the acceptable/standard general fund in which Sternhagen stated per a County perspective 25 to 35% of budgeted expenditures. The Highway Department operating results at the end of the year was \$76,168. The County's special revenue fund increased \$1,433,628 and the ending fund balance available for subsequent year road projects was \$2,657,387.

Sternhagen also stated there will be new standard that will be implemented in 2015 regarding accounting and financial reporting for pensions.

Sternhagen also answered a question regarding liabilities further down the line such as retirement and health insurance stating they are not assigned to the general fund. The estimated number of retiree's health insurance is approximately \$3,000,000.

Chairman Hintz stated that the deficit is \$800,000 over the levy limit and asked for any ideas of how to increase revenue or cut expenses. A survey will be sent out to all Supervisors and County employees to ask for any ideas on how to run the County more efficiently.

MOTION/SECOND: Cushing/Sorensen to receive the Schenck and Associates audit report. All "aye" on voice vote, motion carries.

* **PUBLIC COMMENT** – None.

CONSENT AGENDA

RESOLUTION #68-2015 offered by the Administration Committee authorizing budget transfers.

RESOLUTION #69-2015 offered by Land Records Committee approving the conveyances and easements for Outlots 1 & 2 of (CMS 4288), in which Gerald Shidell has 30 days from date of passage to make payment of \$14,000 and to convey a small parcel of land to the County.

RESOLUTION #70-2015 offered by Land Records Committee requesting the sale of a parcel of land to the successful bidders, John and Sherry DeNoyer. Minocqua- (MI4528) and to Donald W. Brody and Gloria A. Brody, Woodruff WR 1776 & 1777.

APPOINTMENTS TO COMMITTEES, COMMISSIONS AND OTHER ORGANIZATIONS

To appoint Wilma Cox (representing Frail Elderly), Jennifer Pemper (representing Physical Disability) and Scott Gauthier (representing Chemical Dependency) to the Long Term Support Committee.

MOTION/SECOND: Sorensen/VanRaalte to approve the Consent Agenda as presented.

ROLL CALL VOTE: 19 Ayes, 0 Nays, 2 Absent – Freudenberg and Cushing.

CONSENT AGENDA: Adopted.

CONSIDERATION OF RESOLUTIONS & ORDINANCES

(POSTPONED) RESOLUTION #66-2015

Resolution offered by the Conservation and UW-Extension Education Committee
Resolved by the Board of Supervisors of Oneida County, Wisconsin:

WHEREAS, Wisconsin Statutes Section 66.1001(4) and 91.10(3) establish the required procedure for a local government to adopt a Farmland Preservation Plan, and
WHEREAS, agriculture is a vital part of Wisconsin and Oneida County's economy and cultural identity, and
WHEREAS, farmland in Oneida County is being lost, and
WHEREAS, farmland preservation planning is crucial to preserve important agricultural land remaining in Oneida County, and
WHEREAS, the attached Farmland Preservation Plan provides a vision and guidelines for future growth, development, and land preservation in the County, and
WHEREAS, the Conservation and UW-Extension Education Committee has the authority to recommend that the Oneida County Board of Supervisors adopt the County's Farmland Preservation Plan under Section 66.1001(4) (b), and
WHEREAS, a public hearing was held on January 6, 2015, at which time the public had the opportunity to attend, and no opposition to the Farmland Preservation Plan occurred.
NOW, THEREFORE, BE IT RESOLVED, that the Oneida County Board of Supervisors does hereby adopt the attached Oneida County Farmland Preservation Plan; and
BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Oneida County Planning and Developing Committee for incorporation into the Oneida County Comprehensive Plan Ordinance, pursuant to the procedures set forth in Wisconsin Statutes Section 66.1001(4)

Approved by the Conservation and UW-Extension Education Committee, this 17th day of July, 2015.

Offered and passage moved by Supervisors: Rudolph, Mott, Intrepidi, Holewinski and Jensen.

MOTION/SECOND: Rudolph/Mott to table Resolution #66-2015 indefinitely.

ROLL CALL VOTE: 19 Ayes, 0 Nays, 2 Absent– Freudenberg and Oettinger.

POSTPONED RESOLUTION #66-2015: Tabled indefinitely.

RESOLUTION #71-2015

Resolution offered by the Conservation and UW-Extension Education Committee and the Planning and Development Committee

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

WHEREAS, Wisconsin Statutes Section 66.1001(4) and 91.10(3) establish the required procedure for a local government to adopt a Farmland Preservation Plan, and
WHEREAS, agriculture is a vital part of Wisconsin and Oneida County's economy and cultural identity, and
WHEREAS, farmland in Oneida County is being lost, and
WHEREAS, farmland preservation planning is crucial to preserve important agricultural land remaining in Oneida County, and

WHEREAS, the attached Farmland Preservation Plan provides a vision and guidelines for future growth, development, and land preservation in the County, and

WHEREAS, the Conservation and UW-Extension Education Committee has the authority to recommend that the Oneida County Board of Supervisors adopt the County's Farmland Preservation Plan under Section 66.1001(4) (b), and

WHEREAS, the Planning and Development Committee has the authority to recommend that the Oneida County Board of Supervisors amend Oneida County's Comprehensive Plan Under Section 66.1001(4) (b), and

WHEREAS, a public hearing was held on January 6, 2015, at which time the public had the opportunity to attend, and no opposition to the Farmland Preservation Plan occurred.

NOW, THEREFORE, BE IT RESOLVED, that the Oneida County Conservation and UW-Extension Education Committee and the Planning and Development Committee recommend that the Oneida County Board of Supervisors hereby adopt the attached Oneida County Farmland Preservation Plan; and

BE IT FURTHER RESOLVED that the Oneida County Farmland Preservation Plan be incorporated into the Oneida County Comprehensive Plan, Chapter 26 of the Oneida County General Code; Element 2 Natural, Agricultural and Cultural Resources

Approved by the Conservation and UW-Extension Education Committee this 10th day of August, 2015; and the Planning and Development Committee this 19th day of August, 2015.

Offered and passage moved by Supervisors of the Conservation and UW-Extension Education Committee: Rudolph, Holewinski, Jensen, Intrepidi and Mott.

Offered and passage moved by Supervisors of the Planning and Development Committee: Holewinski, Sorensen, Timmons, Fried and Hintz.

Karl Jennrich, Planning and Zoning Director, presented changes to Resolution #71-2015 on page 9 Chapter 3 – Existing Conditions. Last paragraph on the page, strike the word “Stella” and insert the word “Cassian”. Page 10 second paragraph, after the word Three Lakes, insert “Cassian”. Page 24, Second paragraph, strike the last three sentences starting from “However”. Page 32, Under Farmland Preservation Income Tax Credits, the paragraph was changed to read “ *An active Farmland Preservation Plan, along with a valid Farmland Preservation Zoning Ordinance, provides participating landowners with an opportunity to claim farmland preservation income tax credits that are applied against their tax liability. Landowners must be residents of Wisconsin and must meet other eligibility criteria to claim the credit, including compliance with state soil and water conservation standards. Tax credits are as follows: \$10.00/acre if land is zoned for farmland preservation, and located in an Agricultural Enterprise Area (AEA) with a farmland preservation agreement. \$7.50/acre if land is zoned for farmland preservation. \$5.00/acre if landowner is in an AEA, and has a farmland preservation agreement with DATCP signed after 2009.*”

MOTION/SECOND: Rudolph/ VanRaalte to accept the amendments presented by Karl Jennrich and placed in the Oneida County Farmland Preservation Plan.

ROLL CALL VOTE: 20 Ayes, 0 Nays, 1 Absent -Freudenberg.

MOTION: passes.

ROLL CALL VOTE ON AMENDED RESOLUTION #71-205: 20 Ayes, 0 Nays, 1 Absent -Freudenberg

AMENDED RESOLUTION #71-2015: Adopted.

RESOLUTION #72-2015 -GENERAL CODE OF ONEIDA COUNTY, WISCONSIN-ORDINANCE AMENDMENT #2-2015

Ordinance Amendment offered by the Planning and Development Committee

WHEREAS, the Planning & Development Committee, having considered Ordinance Amendment #2-2015, (copy attached) which was filed January 29, 2015 and August 13, 2015, (copy attached) to amend Section 13.15, Definitions of Chapter 13, Private Onsite Wastewater Treatment System Ordinance of the Oneida County Zoning and Shoreland Protection Ordinance, and having given notice thereof as provided by law and having held a public hearing thereon February 18, 2015 and August 19, 2015, and having been informed of the facts pertinent to the changes which are as follows:

WHEREAS, recreational vehicles that are used long term on private property should be required to obtain a zoning permit for placement; and

WHEREAS, a zoning permit would assure proper setbacks are met; and

WHEREAS, recreational vehicles that are used long term should be serviced by adequate sanitary facilities; and

WHEREAS, all towns were notified and no comments were received for or against the proposed language; and

WHEREAS, the Planning and Development Committee held two public hearings, one on February 18, 2015, and the other on August 19, 2015; and

WHEREAS, the Planning and Development committee has carefully studied the proposed changes after listening to comments made at the public hearing and recommends approval.

NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.

Section 2. This ordinance shall take effect the day after passage and publication as required by law.

Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. Chapter 13 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

CHAPTER 13, PRIVATE ONSITE WASTEWATER TREATMENT SYSTEM ORDINANCE

13.15 DEFINITIONS.

Recreational Vehicle: A mobile home when fully expanded that contains 400 square feet or less of living space, and which is built and used, or intended to be used, primarily for temporary human habitation or recreational living quarters, and includes the plumbing, heating, air conditioning and electrical systems contained in the recreational vehicle. A recreational vehicle includes a motor home, park model, truck camper, travel trailer and camping trailer.

Section 13.24

Recreational Vehicles

1. All recreational vehicles used as a dwelling for more than five (5) consecutive days shall comply with the following requirements:
 - a. Obtain a sanitary permit for a private onsite waste water treatment system if the recreational vehicle is provided a connection to potable water and / or electric.
 - b. Obtain a non-plumbing sanitary system permit if not connected to water and / or electric.

The County Clerk shall, within seven (7) days after adoption of Ordinance Amendment #2-2015 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to the Town Clerks of Oneida County and the Wisconsin Department of Natural Resources.

Approved by the Planning and Development Committee this 2nd day of September, 2015.
Offered and passage moved by Supervisors: Holewinski, Sorensen, Timmons, Fried and Hintz.

ROLL CALL VOTE: 20 Ayes, 0 Nays, 1 Absent – Freudenberg.

RESOLUTION #72-2015: Enacted.

RESOLUTION # 73-2015-GENERAL CODE OF ONEIDA COUNTY, WISCONSIN - ORDINANCE AMENDMENT #8-2015

Ordinance Amendment offered by the Planning and Development Committee

WHEREAS, the Planning & Development Committee, having considered Ordinance Amendment #8-2015, (copy attached) which was filed January 29, 2015 and August 13, 2015, (copy attached) to amend Section 9.32, Zoning Permit Required and 9.33, Exceptions to Zoning Permit Requirement of the Oneida County Zoning and Shoreland Protection Ordinance, and having given notice thereof as provided by law and having held a public hearing thereon February 18, 2015 and August 19, 2015 pursuant to Section 59.69(5), Wisconsin Statutes, and having been informed of the facts pertinent to the changes which are as follows:

WHEREAS, recreational vehicles that are used long term on private property should be required to obtain a zoning permit for placement; and

WHEREAS, a zoning permit would assure proper setbacks are met; and

WHEREAS, recreational vehicles that are used long term should be serviced by adequate sanitary facilities; and

WHEREAS, all towns were notified and no comments were received for or against the proposed language; and

WHEREAS, the Planning and Development Committee held two public hearings, one on February 18, 2015, and the other on August 19, 2015; and

WHEREAS, the Planning and Development committee has carefully studied the proposed changes after listening to comments made at the public hearing and recommends approval.

NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.

Section 2. This ordinance shall take effect the day after passage and publication as required by law.

Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. Chapter 9 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

9.32 ZONING PERMIT REQUIREMENT

A zoning permit shall be obtained before:

- A. A structure is built, erected, placed, enlarged, altered or moved.
- B. A structure is structurally altered so as to change its use or increase the square footage of its floor area or vertical surface area.
- C. A structure is repaired when 50% or more of a structure's CEAV has been damaged or destroyed by fire or other catastrophic cause.
- D. The use of a structure or property is changed.
- E. A recreational vehicle is used as a dwelling for more than five (5) consecutive days unless exempt under 9.33(F).

9.33 EXCEPTIONS TO ZONING PERMIT REQUIREMENT (#39-2004 & 05-2005)

Sections A-E remain unchanged

F. Recreational Vehicle/Camping Tent

~~1. Single Family Residential (District #2)~~

A zoning permit shall not be required for the placement of recreational vehicles or a camping tent on property, provided any of the following apply:

~~a.1.~~The recreational vehicle is being stored on the property. ~~where a permanent dwelling has already been constructed.~~

~~b.~~ ~~There is occasional guest parking and use of a recreational vehicle, not to exceed two consecutive weeks where a permanent dwelling has already been established; or~~

~~c.~~2.The recreational vehicle or camping tent is used on the owner's property for a period not to exceed two years while a permanent dwelling is under construction, provided that a zoning permit has been granted for the dwelling unit under construction and a notation was placed on the application for permit that a recreational vehicle is going to be used. Provisions of 13.24 of the Oneida County Private Onsite Wastewater Treatment System Ordinance (POWTS) applies.

~~d.~~3.The recreational vehicle is placed in a campground or recreational vehicle park in accordance with section 9.53 of this ordinance.

~~2. Zoning Districts other than Single Family (District #2)~~

~~A zoning permit shall not be required for the placement of a recreational vehicle or a camping tent on property. Recreational vehicle, tent, and/or primitive camping is allowed in all zoning districts in Oneida County as long as the act of camping does not create a nuisance. Any act of camping that would constitute a campground as defined in this ordinance must comply with the provisions found in Section 9.53.~~

G. Construction Trailers

A zoning permit shall not be required in order to place construction trailers on property during any construction period authorized by a conditional use permit.

H. Other Requirements Apply

The exceptions to the zoning permit requirements contained in this article do not excuse a property owner from applying for and obtaining all other permits required by the Oneida County Ordinances or other local, state or federal laws or regulations.

The County Clerk shall, within seven (7) days after adoption of Ordinance Amendment #8-2015 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to the Town Clerks of Oneida County and the Wisconsin Department of Natural Resources.

Approved by the Planning and Development Committee this 2nd day of September, 2015.
Offered and passage moved by Supervisors: Holewinski, Sorensen, Timmons, Fried and Hintz.

ROLL CALL VOTE: 19 Ayes, 0 Nays, 2 Absent – Freudenberg and Ives.

RESOLUTION #73-2015: Enacted.

RESOLUTION #74-2015 - REZONE PETITION #9-2015

Ordinance Amendment offered by Supervisors of the Planning and Development Committee.
Resolved by the Board of Supervisors of Oneida County, Wisconsin:

WHEREAS, the Planning & Development Committee, having considered Petition #9-2015, (copy attached) which was filed July 14, 2015, to amend the Master Zoning District Document and the Oneida County Official Zoning District Boundary Map, and having given notice thereof as provided by law and having held a public hearing thereon August 19, 2015 pursuant to Section 59.69(5), Wisconsin Statutes, and having been informed of the facts pertinent to the changes which are as follows:

To rezone land from District #14- Residential and Retail to District #4-Residential and Farming on property described as follows in the Town of Woodruff, Oneida County, Wisconsin:

1. The fractional NW, Section 3, T39N, R6E
2. The NW SW, Section 3, T39N, R6E
3. The SW SW, Section 3, T39N, R6E, being part of PIN WR 23-1 and WR 23-4. All of the SW SW will be Residential & Farming.
4. The SE SW, Section 3, T39N, R6E, being part of parcel numbers WR 22-12A, WR 22-15, WR 22-10, WR 23-4, WR 25-3, WR 25-4, and WR 25-5. All of the SE SW will be Residential and Farming.

And being duly advised of the wishes of the people in the area affected as follows:

WHEREAS, this request was sponsored by the Town of Woodruff and;

WHEREAS, the change in zoning will conform with the towns intent of the Towns' Land Use Plan and;

WHEREAS, the Town of Woodruff approved the request (copy attached) and;

WHEREAS, On August 19, 2015, the Planning and Development Committee held a Public Hearing and the adjoining landowners were provided with a written notice of the change and nobody had concerns against the change and one person testified in support and;

WHEREAS, The Planning & Development Committee has reviewed the general standards as specified in Section 9.86F of the Oneida County Zoning & Shoreland Protection Ordinance and concluded that the standards have been met. The Planning & Development Committee recommends passage.

NOW THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

Petition #9-2015:

Section 1: Any existing ordinances, codes, resolutions, or portion thereof in conflict with this ordinance shall be and are hereby repealed as far as any conflict exists.

Section 2: The ordinance shall take effect the day after passage and publication as required by law.

Section 3: If any claims, provisions, or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.

Section 4: Rezone Petition #9-2015 is hereby adopted amending the Master Zoning District Document and the Oneida County Official Zoning District Boundary Map, by changing the zoning district classification from District #14-Residential and Retail to District #04- Residential and Farming on property described as follows:

1. The fractional NW, Section 3, T39N, R6E
2. The NW SW, Section 3, T39N, R6E
3. The SW SW, Section 3, T39N, R6E, being part of PIN WR 23-1 and WR 23-4. All of the SW SW will be Residential & Farming.
4. The SE SW, Section 3, T39N, R6E, being part of parcel numbers WR 22-12A, WR 22-15, WR 22-10, WR 23-4, WR 25-3, WR 25-4, and WR 25-5. All of the SE SW will be Residential and Farming.

Town of Woodruff, Oneida County, Wisconsin.

The County Clerk shall, within seven (7) days after adoption of Rezone Petition #9-2015 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to Woodruff Town Clerk.

Approved by the Planning and Development Committee this 2nd day of September, 2015.
Offered and passage moved by Supervisors: Holewinski, Sorensen, Timmons, Fried and Hintz.

ROLL CALL VOTE: 20 Ayes, 0 Nays, 1 Absent – Freudenberg.

RESOLUTION #74-2015: Adopted.

RESOLUTION# 75-2015 - REZONE PETITION #10-2015

Ordinance Amendment offered by Supervisors of the Planning and Development Committee.
Resolved by the Board of Supervisors of Oneida County, Wisconsin:

WHEREAS, the Planning & Development Committee, having considered Petition #10-2015, (copy attached) which was filed July 22, 2015, to amend the Master Zoning District Document and the Oneida County Official Zoning District Boundary Map, and having given notice thereof as provided by law and having held a public hearing thereon August 19, 2015, pursuant to Section 59.69(5), Wisconsin Statutes, and having been informed of the facts pertinent to the changes which are as follows:

To rezone land from District #02-Single Family, to District #08-Manufacturing & Industrial on property described as Parcel A of SM A3026, being part of Gov't Lot 1, Section 26, T39N, R6E, Town of Minocqua, Oneida County, Wisconsin.

And being duly advised of the wishes of the people in the area affected as follows:

WHEREAS, the Town of Minocqua recently acquired this property and;

WHEREAS, the Town of Minocqua wanted the zoning of the parcel to be consistent with property already owned by the town adjacent to this parcel and;

WHEREAS, the Town of Minocqua approved the request (copy attached) and;

WHEREAS, on August 19, 2015, the Planning and Development Committee held a Public Hearing and the adjoining landowners were provided with a written notice of the change and nobody had concerns for or against the change and;

WHEREAS, The Planning & Development Committee has reviewed the general standards as specified in Section 9.86F of the Oneida County Zoning & Shoreland Protection Ordinance and concluded that the standards have been met. The Planning & Development Committee recommends passage.

NOW THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

Petition #10-2015

Section 1: Any existing ordinances, codes, resolutions, or portion thereof in conflict with this ordinance shall be and are hereby repealed as far as any conflict exists.

Section 2: The ordinance shall take effect the day after passage and publication as required by law.

Section 3: If any claims, provisions, or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.

Section 4: Rezone Petition #10-2015 is hereby adopted amending the master Zoning District Document and the Oneida County Official Zoning District Boundary Map, by changing the zoning district classification from District #02-Single Family to District #08-Manufacturing & Industrial on property described as follows:

Parcel A of SM A3026, being part of Gov't Lot 1, Section 26, T39N, R6E, Town of Minocqua, Oneida County, Wisconsin.

The County Clerk shall, within seven (7) days after adoption of Rezone Petition #10-2015 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to Minocqua Town Clerk.

Approved by the Planning and Development Committee this 2nd day of September, 2015.
Offered and passage moved by Supervisors: Holewinski, Sorensen, Timmons, Fried and Hintz.

ROLL CALL VOTE: 20 Ayes, 0 Nays, 1 Absent – Freudenberg.

RESOLUTION #75-2015: Adopted.

RESOLUTION #76-2015

Resolution offered by the Supervisors of the Labor Relations Employee Services (LRES) Committee.

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

WHEREAS, the Public Health Director and Human Resources Director did discuss and review the classification of the Registered Dietician and Public Health Nurse positions on the Oneida County Exempt Wage Schedule as it relates to the ability to hire qualified individuals; and

WHEREAS, the Health and Aging Committee did review and recommended to the LRES Committee the reclassification of the Registered Dietician and Public Health Nurse positions based on comparable wage data and being unable to recruit qualified individuals; and

WHEREAS, the LRES Committee did review the recommendations of the Public Health Director, Human Resources Director and the Health and Aging Committee regarding the reclassification of the Registered Dietician and Public Health Nurse positions and recommends both positions be moved from a Grade Level J to a Grade Level K on the Oneida County Exempt Wage Schedule due to comparable market data.

NOW, THEREFORE, BE IT RESOLVED, by the Oneida County Board of Supervisors that the positions of Registered Dietician and Public Health Nurse be moved from Grade Level J to Grade Level K on the Oneida County Exempt Wage schedule effective September 26, 2015.

BE IT FURTHER RESOLVED, by the Oneida County Board of Supervisors that by adoption of this resolution it shall be deemed that an amendment has been made to the County budget for fiscal year 2015 to reflect all projected costs for the positions as set forth in the fiscal impact statement which is attached hereto and made a part hereof.

Approved by the Labor Relations Employee Services Committee this 9th day of September, 2015.

Offered and passage moved by Supervisors: Cushing, Hintz, Pederson and Paszak.

ROLL CALL VOTE: 20 Ayes, 0 Nays, 1 Absent – Freudenberg.

RESOLUTION #76-2015: Adopted.

RESOLUTION #77-2015

Resolution offered by County Board Supervisor, Ted Cushing.

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

WHEREAS, Pursuant to Section 157.07, of the Wisconsin Statutes, both the County Board in which the Town is located and the Town Board must approve Cemetery Plats where the cemetery is located.

WHEREAS, The Hazelhurst Cemetery 3rd Addition - "Garden of Sleep", hereafter called Plat located in part of the NW NW, Section 10, T38N, R6E, Town of Hazelhurst, Oneida County, Wisconsin, was reviewed by the Oneida County Planning & Zoning Committee on June 3, 2015, and they have no objection to the Plat. No public comments or concerns were raised during the Planning & Zoning Committee meeting. The Town of Hazelhurst is the owner of this parcel of land; the Town Board has requested approval of the Hazelhurst Cemetery – Third Addition, "Garden of Sleep" and the Town has approved said Plat by Resolution. A copy of the Plat is attached hereto.

NOW THEREFORE, BE IT RESOLVED, that the Plat of Hazelhurst Cemetery – 3rd Addition "Garden of Sleep" located in part of the NW NW, Section 10, T38N, R6E, in the Town of Hazelhurst is hereby approved.

BE IT FURTHER RESOLVED, that the Chairman of the Oneida County Board and the Clerk of Oneida County are hereby authorized to sign the Plat for recording.

Dated this 10th day of September, 2015.
Offered and passage moved by Supervisor: Cushing.
Seconded by Supervisor: VanRaalte

ROLL CALL VOTE: 20 Ayes, 0 Nays, 1 Absent – Freudenberg.

RESOLUTION #77-2015: Adopted.

RESOLUTION #78-2015

Resolution offered by the Supervisor Tom Rudolph
Resolved by the Board of Supervisors of Oneida County, Wisconsin:

WHEREAS, the Oneida County Board of Supervisors has previously adopted Resolution #52-2015 calling for the repeal of Paragraph 23 of Motion #520 inserted into the Wisconsin Budget Bill (SB 21 and AB 21) by the Joint Finance Committee; and

WHEREAS, SB 21 and AB 21 have since been passed by the Legislature and signed into law by Governor Walker; and

WHEREAS, Paragraph 23 of Motion #520 changes the standards for regulation of existing structures in the shoreland area contrary to adopted standards in NR 115 and to the detriment of environmental quality, and the orderly economic development of Oneida County; and

WHEREAS, the State of Wisconsin and Wisconsin Department of Natural Resources has adopted NR 115 and updated it periodically after public input and review; and

WHEREAS, Oneida County has 428 named lakes and more than 830 miles of streams, of which 192 miles are classified trout streams, that are pressured with both new development and re-development of existing structures; and

WHEREAS, Oneida County has been enforcing the minimum standards of NR 115 since its inception in the late 1960's, and has accumulated considerable experience while working with the various incarnations of NR 115 over many years, and furthermore has noted during these many years that the current laws have protected the water quality in Oneida County, and at the same time have protected property values, the County's wildlife and fisheries habitat, and the natural scenic beauty of Oneida County's shorelands, and at the same time provided flexibility to property owners in development of their property; and

WHEREAS, Oneida County has provided some additional protections of our surface and ground water that are slightly more protective standards than the minimums in NR 115, and feels strongly that Counties should be able to enforce more than the minimum standards to protect their unique resources; and

WHEREAS, Oneida County feels that no change should be made to the minimum standards, such as has occurred as a result of the action of the Joint Finance Committee in by inserting paragraph 23 of Motion #520 amending the 2016-2017 state of Wisconsin Budget (SB 21 and AB 21), without due consideration by the entire legislature, the Natural Resources Board and the public because it weakens regulation of non-conforming structures and does not provide adequate protection of our valuable water resources; and

WHEREAS, SB 21 and AB 21 as written will prevent local governmental units charged by the State of Wisconsin with overseeing development within its shorelands from protecting the rights of the property owner, the citizens of the area, and the environment in a fair and equitable manner; and

WHEREAS, the Oneida County Board supports legislation in the short legislative session this fall that would return oversight of shoreland protection to the Counties so that local control is restored to protect the lakes and streams unique to each County.

NOW, THEREFORE, BE IT RESOLVED, by the Oneida County Board of Supervisors that it hereby requests that the State of Wisconsin, repeal Paragraph 23 of Motion #520 that amended the 2016-2017 Budget Bill (SB 21 and AB 21), with new legislation that will retain the current provisions of NR 115, Wisconsin Administrative Code, and thereby protect the citizens and environment of our County and great State, and

BE IT FURTHER RESOLVED, that this Resolution, to repeal Paragraph 23, of Motion #520 to the 2016 – 2017 Budget Bill (SB 21 and AB 21), be forwarded to members of the Wisconsin Legislature, DNR Secretary, Secretary of Administration and Governor Walker.

Approved by Supervisor Tom Rudolph this 10th day of September , 2015.
Offered and passage moved by Supervisor: Rudolph
Seconded by: Sorensen.

MOTION/SECOND: Rudolph/Sorensen to amend Resolution #78-2015 on line 34, by taking out the word “in” in the sentence and line 35 by capitalizing the word “State”.

ROLL CALL VOTE: 19 Ayes, 1 Nay – Fried, 1 Absent – Freudenberg.

MOTION: Passes.

MOTION/SECOND: Holewinski/Jensen to amend by adding on line 54, “Be it further resolved, that the Oneida County Board of Supervisors ask that the rewrite of NR115 be repealed”.

ROLL CALL VOTE: 8 Ayes, 12 Nays – Kelly, Mott, Cushing, Paszak, Rudolph, Metropulos, Young, VanRaalte, Sorensen, Pederson, Intrepidi and Hintz. 1 Absent – Freudenberg.

MOTION: Fails.

MOTION/SECOND: VanRaalte/Metropolis to amend Resolution #78-2015, line #37 by deleting the word “non-conforming” and insert the words “legal pre-existing” and on line #45, insert after the word County “while ensuring that legal pre-existing structures may be repaired or replaced as necessary.”

ROLL CALL VOTE: 20 Ayes, 0 Nays, 1 Absent – Freudenberg.

MOTION: Passes.

MOTION/SECOND: Jensen/Paszak to table Resolution #78-2015.

ROLL CALL VOTE: 8 Ayes, 12 Nays – Sorensen, Intrepidi, Zunker, Cushing, VanRaalte, Pederson, Rudolph, Mott, Metropulos, Kelly, Young and Hintz. 1 Absent – Freudenberg.

MOTION: Fails.

ROLL CALL ON AMENDED(X4) RESOLUTION #78-2015: 14 Ayes, 6 Nays – Fried, Ives, Oettinger, Jensen, Timmons and Holewinski. 1 Absent Freudenberg.

AMENDED RESOLUTION #78-2015: Adopted.

OTHER BUSINESS: - none.

NEXT MEETING DATE AND TIME: October 20, 2015 @ 9:30 a.m.

(unless a motion is made to change the starting time).

ADJOURNMENT:

MOTION/SECOND: Rudolph/Mott to Adjourn at 11:40 am. All “ayes” on voice vote, motion carries.